1 The Honorable Robert S. Lasnik 2 3 4 5 6 7 UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WASHINGTON 8 AT SEATTLE 9 10 UNITED STATES OF AMERICA, NO. CR18-222 RSL 11 Plaintiff, 12 GOVERNMENT'S DISPOSITION v. 13 **MEMORANDUM** BRANDON HARTBERG, 14 Defendant. 15 16 Comes now the United States of America, by and through Tessa M. Gorman, 17 Acting United States Attorney for the Western District of Washington, and Lyndsie R. 18 Schmalz, Assistant United States Attorney for said District, and files this Disposition 19 Memorandum. Mr. Hartberg has admitted the first two violations, but he has not yet 20 appeared on the remaining violations. If Mr. Hartberg admits the remaining violations 21 and the Court decides to proceed to disposition on July 16, 2021, the government requests 22 that the Court revoke Brandon Hartberg's term of supervised release and sentence 23 Mr. Hartberg to five months of imprisonment, with no term of supervised release to 24 follow. 25 Mr. Hartberg commenced supervision in the Western District of Washington in 26 August, 2018, and he has had no meaningful period of compliance with the conditions of 27 his release since then. His term of supervised release has been revoked on three 28 occasions, with the Court imposing a sentence of 75 days of imprisonment during the UNITED STATES ATTORNEY

second revocation proceeding. This time, Mr. Hartberg has again failed to engage with 2 substance use disorder treatment and, more importantly, continued to be dishonest and 3 avoidant in his interactions with his Probation Officer. 4 These violations merit revocation and a term of imprisonment, and the government 5 recommends that the Court impose a term of imprisonment of five months, a 6 meaningfully longer time in custody than Mr. Hartberg has spent on prior violations. As 7 has been the case in his past revocation proceedings, Mr. Hartberg has conducted himself 8 in a way that demonstrates that he is wholly uninterested in changing his behavior or 9 complying with this Court's orders, and the government further recommends that the 10 Court impose no term of supervised release to follow. 11 Dated this 9th day of July, 2021. 12 Respectfully submitted, 13 TESSA M. GORMAN 14 Acting United States Attorney 15 16 /s/ Lyndsie R. Schmalz LYNDSIE R. SCHMALZ 17 Assistant United States Attorney 18 700 Stewart Street, Suite 5220 Seattle, WA 98101-1271 19 Telephone: (206) 553-2905 20 (206) 553-0882 Fax: Email: Lyndsie.Schmalz@usdoj.gov 21 22 23 24 25 26 27 28

**CERTIFICATE OF SERVICE** I hereby certify that on July 9, 2021, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the attorney(s) of record for the defendant(s). /s/Lissette Duran LISSETTE DURAN Paralegal Specialist
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